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4 BERNARDO MENDIA,

5 Plaintiff,

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7 No. C 10-03910 MEJ

8 **FOURTH ORDER TO SHOW CAUSE**

9 JOHN M. GARCIA, et al.,

10 Defendants.

11 _____ /
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13 On November 3, 2011, the Defendants in the above-captioned matter filed a motion to
14 dismiss, with a noticed hearing date of January 5, 2012. Dkt. No. 34. However, Plaintiff failed to
15 file an opposition pursuant to Civil Local Rule 7. Accordingly, the Court hereby VACATES the
16 January 5 hearing and ORDERS Plaintiff Bernardo Mendia to show cause why this case should not
17 be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a
18 declaration by December 8, 2011, and the Court shall conduct a hearing on December 22, 2011 at
19 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. If
20 Plaintiff fails to file a responsive declaration by December 8, Plaintiff is hereby informed that the
21 Court may dismiss the case without a hearing. Thus, it is imperative that Plaintiff file a written
22 response by the deadline above.

23 **IT IS SO ORDERED.**

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25 Dated: November 29, 2011

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Maria-Elena James
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BERNARDO MENDIA,

Plaintiff,

V.

JOHN M. GARCIA et al,

Defendant.

Case Number: CV10-03910 MEJ

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

11 That on November 29, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

15 Bernardo Mendoza
P.O. Box 28032
16 Oakland, CA 94604

18 || Dated: November 29, 2011

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk